IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 20th day of May 2003

Bail Application no.328 of 2003

Order on the bail application of accused.

CRIMINAL SIDE

Muzib Haider S/o Jargam Hussain,
Resident of Indra Colony, Gali No.-6,
Kasba & P.S. Rudrapur,
District U.S. Nagar. ----------accused applicants

Versus

State of Uttaranchal. ----------Opposite Party.

Arising out of case crime no. 177 of 2002
Under Sections 302,498A, 120B, 201 IPC.
P.S. Rudrapur
District U.S. Nagar

By the Court

Hon'ble M.M. Ghildiyal, J.

Heard Smt. Puspa Joshi learned counsel for the applicant and learned A.G.A.

In this case all the accused have been granted bail and as such the learned counsel for the applicant has claimed parity. There are three dying declarations of the deceased before the Magistrate which are contrary to each other in which similar role was assigned to all the accused. The mother-in-law and father-in-law of the deceased have been granted bail on the ground of old aged whereas one Nadim who is the brother of the husband has been granted bail on the ground that he was living separately. This is the bail application of the husband. It is not disputed that he brought the deceased first to Bahedi hospital and thereafter to Safdarjung hospital Delhi for treatment where she died. Considering the conduct of the applicant and in view of the above I find it a fit case for bail.

Let the accused-applicant Muzib Haider be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M., Udham Singh Nagar.

(M.M. Ghildiyal, J.)

20.05.2003:
MPS: